

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MODESTINE SMITH THORPE,  
individually and on behalf of all persons  
similarly situated,**

**Plaintiff,**

**v.**

**GOLDEN AGE HOME CARE, INC.,**

**Defendant.**

**Civil Action No.: 2:17-cv-01187-TR**

**Class and Collective Action**

**PLAINTIFF'S UNOPPOSED MOTION FOR  
FINAL APPROVAL OF THE SETTLEMENT AGREEMENT**

Plaintiff Modestine Smith Thorpe, through her undersigned counsel, respectfully moves this Court for an Order:

1. Granting final approval of the Parties' Settlement Agreement (Dkt. No. 32-2);
2. For settlement purposes, finally certifying the state law claims as a Fed. R. Civ. P. 23 class on behalf of the Settlement Class;
3. Finally approving Plaintiff Modestine Smith Thorpe as the Representative of the Settlement Class and approving the \$7,500.00 service award for her service to the Settlement Class and in exchange for her additional released claims in favor of Defendant;
4. Finally approving Berger Montague PC as Class Counsel for the Settlement Class;
5. Finally approving Class Counsel's attorneys' fees in the amount of \$241,666.67 and costs in the amount of \$1,706.88;
6. Finally approving the Angeion Group as Settlement Administrator and finally approving the costs of claims administration;
7. Finally approving the Nationalities Service Center as the *cy pres* recipient; and

8. Dismissing this class action with prejudice.

This Motion is based on the accompanying Memorandum of Law, the Declaration of Sarah Schalman-Bergen in Support of the Plaintiff's Unopposed Motion for Final Approval of the Settlement Agreement, and all other records, pleadings and papers on file in this action. Pursuant to the terms of the Settlement Agreement, Defendant does not oppose this Motion.

A proposed Order is submitted for the Court's consideration.

Dated: September 17, 2018

Respectfully submitted,

BERGER MONTAGUE PC

s/ Sarah R. Schalman-Bergen

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*Attorneys for Plaintiff and Settlement Class*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing was served upon all counsel of record through the Court's ECF system this 17<sup>th</sup> day of September, 2018.

/s/ Sarah Schalman-Bergen  
Sarah R. Schalman-Bergen